

**STAMFORD PLANNING BOARD
APPROVED MINUTES - TUESDAY, SEPTEMBER 26, 2023
REGULAR MEETING
(SCHEDULED PUBLIC HEARING POSTPONED)
VIA THE INTERNET & CONFERENCE CALL
6:30 P.M.**

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Webinar ID: 831 8096 7258

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Stamford Planning Board Members present were: Voting Members: Theresa Dell, Chair; Michael Buccino (Arrived at 6:50 p.m.) and Michael Totilo. Alternates: William Levin and Stephen Perry. Absent: Jay Tepper, Vice Chair and Jennifer Godzeno, Secretary, Regular Members. Present for staff: Lindsey Cohen, Associate Planner.

Ms. Dell called the meeting to order at 6:40 p.m.

Ms. Dell introduced the members of the Board and staff present and introduced the first item on the agenda.

PLANNING BOARD MEETING MINUTES:

September 12, 2023: After a brief discussion, Mr. Levin moved to recommend *approval* of the Planning Board Regular Meeting of September 12, 2023; Mr. Perry seconded the motion, and passed unanimously with eligible members present voting, 3-0 (Dell, Levin and Perry). (Mr. Totilo was ineligible to vote as he was absent at the September 12, 2023 meeting.)

REQUEST FOR AUTHORIZATION:

1. **LICENSE AND USE AGREEMENT BY AND BETWEEN THE BOYS & GIRLS CLUB OF STAMFORD AND THE STAMFORD PUBLIC SCHOOLS (Use of Classroom Space for SPS' Steps Program):** The Boys & Girls Club of Stamford, as licensor, hereby agrees to license approximately 3,411 sq. ft. of classroom space to the Stamford Public Schools for the SPS' STEPS Program. The term of this License and Use Agreement will begin on December 1, 2023 through the last day of the 2023/2024 school year. Use of the classroom space will be Monday through Friday, 7:30 a.m. through 1:30 p.m. with a License/Use Fee of \$3,500.00 per month. Heating, cooling, utilities, custodial services and trash removal are all included in the License/Use Fee.

Dr. Michael Fernandes, Associate Superintendent for Student Support, Stamford Public Schools, made a presentation providing details of the agreement and answered questions from the Board.

After a brief discussion, Mr. Perry recommended approval of the License and Use Agreement by and between The Boys & Girls Club of Stamford and the Stamford Public Schools. This request has been reviewed pursuant to Connecticut General Statute Section 8-24 and the City Charter Section C6-30-13 and finds this request to be consistent with CGS Section 8-24, and the City Charter Section C6-30-13, as well as consistent with the adopted 2015 Master Plan; Mr. Levin seconded the motion and passed unanimously with eligible members present voting, 4-0 (Dell, Levin, Perry and Totilo).

2. **DISTRICT OFFICE LEASE AGREEMENT BETWEEN THE CITY OF STAMFORD & THE HONORABLE JAMES A. HIMES:** Congressman Himes will lease 966 sq. ft. of office space on the 10th floor of the Government Center for a term of two (2) years retroactively beginning January 3, 2023 and ending on January 2, 2025 with a monthly rent of \$2,094.52 for Year 1 and \$2,390.05 for Year 2.

Chris Dellaselva, Associate Corporation Counsel, made a brief presentation and answered questions from the Board.

After a brief discussion, Mr. Totilo recommended approval of the District Office Lease Agreement between the City of Stamford & The Honorable James A. Himes. This request has been reviewed pursuant to Connecticut General Statute Section 8-24 and the City Charter Section C6-30-13 and finds this request to be consistent with CGS Section 8-24, and the City Charter Section C6-30-13, as well as consistent with the adopted 2015 Master Plan; Mr. Perry seconded the motion and passed unanimously with eligible members present voting, 4-0 (Dell, Levin, Perry and Totilo).

ZONING BOARD REFERRALS:

- 1. ZB APPLICATION #223-36 - G&T TAYLOR STREET, LLC - 12 & 18 TAYLOR STREET - Special Permit, Coastal Site Plan Review and Application for Approval of Addition to the Stamford Cultural Resources Inventory (CRI):** Applicant is requesting the approval for a proposal which preserves the historic home at 18 Taylor Street, retains the existing home at 12 Taylor Street and adds 13 new units of housing for a total of 18 units along with landscaping and site improvements pursuant to Section 7.3. The subject site is within the CAM boundary.

The property is in Master Plan Category #4 (Residential - Medium Density Multifamily). The Applicant is applying to preserve the historic structure by Special Exception under Section 7.3 of the Zoning Regulations relating to density (18 units in lieu of 16 units), building coverage (37% coverage in lieu of 35%), side yard setbacks (11.18 ft. both sides instead of 18 ft. both sides), and parking (21.5 spaces including 1 EV space in lieu of 30.75 spaces including 3 EV spaces), add 18 Taylor Street to the Cultural Resources Inventory, and receive CAM approval. The historic preservationist on the project notes that 18 Taylor Street embodies the distinctive characteristics of type, period or method of construction and is associated with events that have made a significant contribution to Stamford's history. The project would result in the rehabilitation of a historic structure and the creation of additional multi-family units and deed-restricted BMR units behind the historic structure. Further, the project would infill a vacant lot with much-needed housing, landscaping, and associated parking.

HPAC reviewed the application at their September 12, 2023 public meeting and support the proposed plans with several comments on design. The Zoning Board has previously approved a historic preservation application for this site, once in 1991 and a second time in 2008, though the owners never went through with the project.

In terms of planning for Stamford's future, fewer parking spaces is aligned with planning best practices since this location is approximately ½-mile from the Stamford Train Station. Approval of this application is recommended as it is aligned with the Master Plan. Specifically, Master Plan Section 6.3 calls for the protection and preservation of historic structures. The Application also supports the following Master Plan policies and strategies:

- Strategy 6B.2: Maintain inventory of other publicly assisted affordable units (In this case, Section 8 vouchers).
- Strategy 6B.3: Encourage rehabilitation and sound management of small multi-family buildings.
- Strategy 6D.3-a: Promote zoning incentives for historic preservation and adaptive reuse.
- Strategy 6D.3-b: Authorize local designation of historic districts and landmarks.
- Strategy 6C.2: Promote a variety of housing types.
- Policy 7H: Encourage infill development.

Ms. Dell asked Ms. Cohen if she had any comments to make before the applicant made their presentation.

Ms. Cohen made brief comments and Ms. Dell then introduced Mr. Braman.

Leonard Braman, Wofsey Rosen Kweskin & Kuriansky, LLP; along with his team, made a presentation and answered questions from the Board.

Ms. Dell stated it was 7:07 p.m. and apologized to Mr. Braman as she needed to interrupt his presentation to make an announcement.

Ms. Dell stated that a Public Hearing was scheduled for tonight and was supposed to begin at 7:00 p.m. The Public Hearing was on Master Plan Amendment #MP-444 for Horn & Hoof Properties, LLC. The Public Hearing was continued from June 27, 2023 and August 29, 2023 meetings. Ms. Dell stated Mr. Capalbo contacted our office requesting to pull this item from the agenda and postpone the Public Hearing and apologized for the late notice. This item will be continued again to the November 28, 2023 meeting. Ms. Dell explained the reason for the long delay is the October meetings are dedicated to Capital Budget and no other business is conducted during those meetings. The Capital Budget does run into the first two weeks of November so the first available date to reschedule would be November 28th. Ms. Dell also explained since the Board will not hear the Master Plan Amendment, the companion Zoning Board application for 961 Long Ridge Road and 16 Wire Mill Road will also be continued to the November 28, 2023 meeting.

Ms. Dell thanked those in attendance for coming and stated if there are any changes with the meeting date, it will be posted on the Planning Board website.

Ms. Dell turned it back to Mr. Braman to continue his presentation.

Mr. Braman answered questions from the Board. Questions and discussion from the Board centered around the number of units being proposed, the number of BMR units that would result, the number of parking spaces proposed, and the amount of open space available to the future residents. The Planning Board unanimously stated that the additional units above what is allowed as-of-right was an important 'give' to get two BMR units. The Planning Board also unanimously stated that the neighborhood and project would benefit from additional open space that could be attained from reducing the number of parking spaces by two contiguous spaces adjacent to already-provided green space.

Matthew Popp, Landscape Architect, Environmental Land Solutions, provided comments in response to the Board making suggestions for adjusting the landscaping plan to increase the green space.

Ms. Dell asked Ms. Cohen if she had any further comments before taking a vote.

Ms. Cohen provided clarification on what falls under the purview of the Board, that the Board can only consider the Special Permit and make recommendations pertaining to that application.

After considerable discussion, Mr. Levin recommended **approval** of **ZB Application #223-36** with the recommendation that that [a] the number of parking spaces be reduced from 24.5 spaces to 22.5 spaces and [b] the permeable building coverage be reduced, both of which would aid in the provision of open space for future residents. The Board finds this request compatible with the neighborhood and consistent with Master Plan Category #4 (Residential - Medium Density Multifamily); Mr. Totilo seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Buccino, Levin, Perry and Totilo).

DUE TO UNFORSEEN CIRCUMSTANCES, THE PUBLIC HEARING FOR MASTER PLAN AMENDMENT #MP-444 AND THE ACCOMPANYING ZONING BOARD APPLICATION #223-29 WAS POSTPONED. THE APPLICANT HAD REQUESTED THESE ITEMS BE PULLED FROM THE AGENDA

MASTER PLAN AMENDMENTS:

1. **MASTER PLAN AMENDMENT #MP-444 - JOSEPH J. CAPALBO II, ESQ. representing HORN & HOOFF PROPERTIES, LLC - 961 LONG RIDGE ROAD & 16 WIRE MILL ROAD** (*Continued from the June 27, 2023 & August 29, 2023 Meetings*): Applicant is proposing to amend the City of Stamford 2015 Master Plan changing the Master Plan designation of 961 Long Ridge Road (Tax Assessor No. 001-8187) and 16 Wire Mill Road (Tax Assessor No. 001-8189) from Master Plan Category #2 (Residential - Low Density Single-Family) to Master Plan Category #3 (Residential - Low Density Multifamily).

The following Zoning Board Application will be heard only if the Planning Board approves Master Plan Amendment #MP-444.

COMPANION ZONING BOARD REFERRAL:

ZB APPLICATION #223-29 - JOSEPH J. CAPALBO II, ESQ. representing HORN & HOOFF PROPERTIES, LLC - 961 LONG RIDGE ROAD & 16 WIRE MILL ROAD - Map Change: Applicant is proposing to rezone 961 Long Ridge Road and 16 Wire Mill Road from the present R-10 (Single-Family, Low Density) to the proposed RM-1 (Multiple Family, Low Density Design District).

ZONING BOARD OF APPEALS REFERRALS:

1. **ZBA APPLICATION #024-23 - ANTHONY TOTILO, ARCHITECT representing WENDY G. UMLA - 46 KENILWORTH DRIVE WEST - Variance of Table III, Appendix B (Updated Survey - Originally Presented at the August 15, 2023 Meeting)**: Applicant owns a single-family dwelling with an accessory storage shed and is proposing the following:
 - Addition of a first-floor entry portico/porch to be open on all sides.
 - Construction of a second-floor addition to include master bedroom, bathroom, laundry and storage with access to a new second-floor deck.
 - First-floor interior renovations.
 - Removal of existing rear accessory storage shed to be replaced with a new 10 ft. x 14 ft. storage shed.

The applicant is requesting a rear setback of 28.4 ft. to the second story addition in lieu of the 30 ft. required and a rear setback of 28.5 ft. to the second story deck in lieu of the 30 ft. required.

The Planning Board considered this item at its August 15, 2023 meeting and recommended approval. The ZBA required an updated survey for the application and for it to be re-referred to the various Boards.

Ms. Dell stated that Mr. Totilo noted at the August 15, 2023 meeting that he is related to the applicant's representative as his first cousin but he had no financial interest in his business and was not a client at his firm.

The property is in Master Plan Category #2 (Residential - Low Density Single-Family). The home is an existing nonconforming structure encroaching into the rear yard due to its development prior to the enactment of Zoning Regulations. The second story addition aligns with the exterior walls of the home. The addition of a second story is aligned with the character of the neighborhood, which is a mix of one- and two-story single-family homes. As such, approval of this application is recommended as it is in reasonable harmony with the neighborhood and the Master Plan. Specifically, the project is aligned with Master Plan Policy C1: Preserve and enhance the [Cove] neighborhood character and quality-of-life.

After a brief discussion, Mr. Buccino recommended **approval** of the updated submission of **ZBA Application #024-23**. It is the opinion of the Board the proposed application is consistent with Master Plan Category #2 (Residential - Low Density Single-Family); Mr. Levin seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Buccino, Levin, Perry and Totilo).

2. **ZBA APPLICATION #027-23 - JASON KLEIN, CARMODY TORRANCE SANDAK HENNESSEY, representing 1786 BEDFORD ASSOCIATES, LLC-1786 BEDFORD STREET- Variance of Section 3.B (Accessory Structure) & Section 10-A (Updated Survey - Application Withdrawn from the August 15, 2023 Meeting)**: The property is improved with a colonial-style building used as an architectural office and a one-story garage located in the northwest corner of the property, which has also fallen into a state of disrepair. The applicant is proposing to restore and rehabilitate the worn-down garage structure by replacing the current “industrial” aesthetic of the garage structure with a design more in keeping with the surrounding neighborhood. A vertical addition to the existing garage is proposed which will further enhance the structure. The applicant is requesting the following variances:

Section 3.B (Definition of Accessory Structures):

- Allowance of the Building Height for an Accessory Structure of three (3) stories and 31 ft. 11in. in lieu of the one (1) story and 15 ft. permitted.
- Allowance of additional Building Height for an Accessory Structure 4.7 ft. from the northerly Lot Line and 1.6 ft. from the westerly Lot Line in lieu of the 5 ft. required (and within the footprint of the existing garage).

Section 10-A:

- Allowance for the proposed addition to the garage to be utilized for office/”show room” use.

The property is in Master Plan Category #4 (Residential - Medium Density Multifamily). This section of Bedford Street, however, is characterized as historic single-family homes used for professional offices. The Applicant would like to renovate an existing non-conforming garage to create more usable space. The Applicant’s request to allow for a 4.7 ft. setback and 1.6 ft. setback in lieu of the 5 ft. required setback for accessory buildings is reasonable given these are existing non-conformities. Further, the request to allow for an office-use to be permitted in an R-MF District where office uses are not permitted is reasonable given the primary structure is used as an office and surrounding buildings are also used as offices. However, the request for a height of 3 stories and approximately 31 ft. seems excessive, especially given the encroachment into the side and rear yard setbacks. Accessory structures are permitted to be one story and/or 15 ft. in height. Primary structures in the R-MF district are permitted to be 4 stories or 40 ft. in height. There are many single-family homes surrounding this property that are 3 stories. An accessory structure of 3 stories and over 30 ft. in height may appear more like a primary structure and would appear denser than any of the surrounding similar properties. Staff does not recommend approval of this application “as-is” as it is not in reasonable harmony with the objectives of the Master Plan. Staff would recommend approval of a request for a two-story structure approximately 20 ft. in height because it would be more aligned with the Master Plan Category.

Ms. Dell asked Ms. Cohen if she had any comments before the applicant made their presentation.

Ms. Cohen made brief comments; then introduced Mr. Klein.

Jason Klein, Carmody Torance Sandak Hennessey, LP; made a presentation and answered questions from the Board.

Ms. Dell asked Ms. Cohen if she had further comments.

Ms. Cohen provided some additional information on the application.

Ms. Dell summarized that the feeling of the Board is the height of the garage is too high and should be two (2) stories. All Board members agreed with that assessment.

After a brief discussion, Mr. Levin recommended **approval** of the updated submission of **ZBA Application #027-23** with the recommendation the garage be adjusted to two (2) stories and 20 feet in height. It is the opinion of the Board the proposed application, if modified as recommended, is in relative harmony with Master Plan Category #4 (Residential - Medium Density Multifamily). The proposed application as-is is not in relative harmony with the Master Plan because the accessory structure would be as tall as the primary structure and would be excessively close to the lot lines (as close as 1.6 feet from the westerly lot line).

3. ZBA APPLICATION #032-23 - RAYMOND R. MAZZEO, REDNISS & MEAD representing WILLIAM CATCHPOLE - 81 CENTRAL STREET - Variance of Appendix B, Table 3:

Applicant owns a single-family dwelling with associated driveway and detached garage and is proposing to expand the existing second story within the existing footprint with interior renovations. Applicant is requesting: **[a]** front yard (street line) setback of 11 ft. (existing) in lieu of the 30 ft. required; **[b]** front yard (street center) setback of 31 ft. (existing) in lieu of the 55 ft. required; and **[c]** side yard setback of 0.9 ft. (existing) in lieu of the 6 ft. required.

The property is in Master Plan Category #2 (Residential - Low Density Single-Family). The existing home and lot are existing non-conformities by way of lot size, front yard setback and side yard setback. Applicant would like to expand the existing second story within the existing building footprint. The expansion is largely to the rear of the existing second story, with a small portion of the addition visible from the front. Lot coverage would not change. One- and two-story single-family homes are characteristic of this neighborhood. Approval of this application is recommended as it is aligned with the existing first story footprint and it is in reasonable harmony with the objectives of the Master Plan.

As Mr. Mazzeo was unable to attend the meeting to present the application, Ms. Cohen provided comments and answered questions from the Board.

After a brief discussion, Mr. Totilo recommended **approval** of **ZBA Application #032-23**. It is the opinion of the Board the proposed application is aligned with the existing first story footprint and it is in reasonable harmony with the objectives of the Master Plan and Master Plan Category #2 (Residential - Low Density Single-Family); Mr. Buccino seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Buccino, Godzeno, Tepper and Totilo).

4. ZBA APPLICATION #033-23 - DAVID & TANYA HEIGEL - 106 BOUTON STREET WEST - Variance of Table III, Appendix B:

Applicant owns a single-family dwelling and is proposing to construct a covered landing and a second story addition over the existing building footprint. Applicant is requesting the following variances: **[a]** front street line setback of 29.5 ft. in lieu of the 40 ft. minimum required; **[b]** street center setback of 59.5 ft. in lieu of the 65 ft. minimum required; and **[c]** street line setback from the proposed covered landing of 39.4 ft. in lieu of the 40 ft. minimum required.

The property is in Master Plan Category #2 (Residential - Low Density Single-Family). Due to the configuration of the lot and streets, the property has two (2) front yards. The home on the property is an existing non-conforming building due to encroachment into one of two (2) front yards. The Applicant would like to expand the existing second story within the existing building footprint. As such, the Applicant is requesting variances from the front setback from the street line and street centerline for the second story addition to align with the first story, and a variance of the front setback to street center line for a covered landing. Approval of this application is recommended as the addition would be aligned with the existing footprint, the variance for the covered landing is the minimum width to be functional, and it is in reasonable harmony with the objectives of the Master Plan.

After a brief discussion, Mr. Levin recommended **approval** of **ZBA Application #033-23**. It is the opinion of the Board the proposed application is aligned with the existing footprint, the variance for the covered landing is the minimum width to be functional, and it is in reasonable harmony with the objectives of the Master Plan and with Master Plan Category #2 (Residential - Low Density Single-Family); Mr. Perry seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Buccino, Levin, Perry and Totilo).

5. **ZBA APPLICATION #035-23 - PAOLA A. YANEZ ROJAS representing GERMAN E. & BERTA YANEZ - 29 UNDERHILL STREET - Variance of Table III, Appendix B:** Applicant owns a 2½ story single-family dwelling and is proposing to construct an addition on the second floor. The addition will be over the existing home footprint. Applicant is requesting the following variances: **[a]** front yard setback on Underhill Street of 24.8 ft. in lieu of the 30 ft. required; **[b]** street centerline setback on Underhill Street of 49.8 ft. in lieu of the 55 ft. required; and **[c]** street centerline setback on Arlington Street of 28.5 ft. in lieu of the 55 ft. required.

The property is in Master Plan Category #2 (Residential - Low Density Single-Family). The lot and dwelling are both non-conforming because the lot is undersized for the Zoning District and the home encroaches into all yards. It is a hardship to have an undersized lot and be required to meet Zoning Regulations created for larger lots. Sheet G.101 (Zoning Location Survey) of the meeting materials for this application demonstrates this hardship very well. The proposed addition is quite modest in size and meets the exterior walls of the existing building footprint. Encroachments into setbacks will not be greater with the proposed addition. Further, the addition on the second floor will be lower than the top of the structure, which will somewhat maintain the bulk and massing of the existing building. Staff recommends approval of this application as the addition would be aligned with the existing footprint and would be in reasonable harmony with the objectives of the Master Plan.

After a brief discussion, Mr. Buccino recommended **approval** of **ZBA Application #035-23**. It is the opinion of the Board the proposed application is aligned with the existing footprint and would be in reasonable harmony with the objectives of the Master Plan with Master Plan Category #2 (Residential - Low Density Single-Family); Mr. Totilo seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Buccino, Levin, Perry and Totilo).

OLD BUSINESS:

None.

NEW BUSINESS:

Ms. Dell announced that Mr. Buccino has been asked to serve on a Committee for Westhill High School and has accepted.

Ms. Dell provided details on the Capital Budget procedure and stated she felt the Safe Debt Limit would be around \$70M.

Ms. Dell stated Mr. Capalbo will come back on November 28th due to the Capital Budget meetings.

Lastly, Ms. Dell reminded the Board to think about getting together with the Zoning Board and the ZBA for a holiday day dinner either the end of November or beginning of December.

Next regularly scheduled Planning Board meetings are:

- October 10, 2023 (Regular Meeting & Capital Budget)
- October 17, 2023 (Capital Budget)
- October 24, 2023 (Capital Budget)

There being no further business to come before the Board, Ms. Dell adjourned the meeting at 8:47 p.m.

Respectfully Submitted
September 28, 2023

Jennifer Godzeno, Secretary
Stamford Planning Board

NOTE: These proceedings were recorded on video and are available for review on the Planning Board website at http://cityofstamford.granicus.com/ViewPublisher.php?view_id=20